

## THE INDEPENDENT

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HELENA, MONT., NOV. 30, 1889.

If the runaway rump have any regard for their reputations they should send a committee at once to ask the Herald to desist from its explanations of their conduct.

Gov. Toole promptly knocks in the head the Herald's very thin explanation of Gov. White's neglect to sign the certificates of the Silver Bow democrats that were found in his desk. Try some other form of "fake," neighbor.

If the rump house can't decide between Sanders and Herschfield without an unseemly row, as now threatens, it can sit out the ninety days and then Auditor Kenney doubtless will appoint two United States senators.

DEMOCRATIC rule and prosperity have gone hand in hand in Virginia. There, according to Gov. Lee, more capital has been invested since the state government was regained by the democrats six years ago than during the preceding eighteen years.

ANOTHER point for those who prophesied a revival of American industries consequent upon the election of Harrison to the presidency: The amount of cotton taken by American mills this year is 193,332 bales less than last season. Paste this in your hat for reference in the elections of 1890.

THE attempt of the republican conspirators to inaugurate chaos in this state is an injury to the material interests of Montana in that it tends to create the impression that a lawless spirit exists in the state at large, which is in fact confined to the half-dozen desperate politicians who composed the conspiracy.

THOSE Montana democrats who were induced to vote for Carter a year ago and again last month because they were told that a democratic majority in congress meant free wool, will be interested in learning that the free-woolmen's candidate for speaker of the house is a republican and that his front name is Thomas B. Reed. By and by the west will understand that protection of American industry means the subsidizing of New England and Pennsylvania industries at the expense of the rest of the country.

SENATOR FARWELL, of Illinois, has had his way regarding at least one of the federal appointments in his state. True, in order to win his point he was obliged to drop his candidate for this particular office and accept one who, he was assured, would be acceptable to the president, but he is just as happy—or professes to be—as though Col. Babcock and not Frank Hitchcock had been appointed marshal of the northern district. However, those who know Farwell best look for him to have patience while he shuffles the cards for 1892.

If General Lew Wallace aspired to be known as a humorist he would have attained his ambition at a single bound when he proposed to make officers out of the privates of the regular army. His plan, suggested in all seriousness apparently, is to establish preparatory schools at all army posts, where soldiers may fit themselves for holding rank as commissioned officers after one year at West Point. Under the existing system West Point is graduating trouble the number of officers every year that the service demands, and the problem which has puzzled the authorities almost ever since the army was reduced to its present exceedingly pacific basis is what to do with them.

WILLIAM E. CURTIS, Blaine's manager of the Pan-American junket, is not averse to turning an honest penny, even at the expense of that self-respect that should characterize a representative of the state department. Mr. Curtis' latest "break" is the giving of a certificate to a certain wine and liquor house that no wines except such as were supplied by this firm were used upon the delegates' special train and they "were highly appreciated and greatly enjoyed" by all the party. It is quite time for Mr. Curtis to be retired to the oblivion from which he never should have been permitted to emerge.

ADAM SMITH, the author of the Wealth of Nations, might be called, the father of free trade. Andrew Carnegie is known as a canny Scot, whose protection of American industries made a millionaire and able to own and occupy a castle in Scotland. Adam Smith's admirers in Kircaldy, Fifeshire, Scotland, where he lived, are collecting a fund for

the establishment of a free library to bear his name, and have been assisted by Mr. Carnegie to the extent of \$5,000. On this side of the ocean Mr. Carnegie preaches and profits by protection, but in his native country he contributes to memorials to men whose lives and intellects were devoted to the principles of free trade. Mr. Carnegie is less consistent than shrewd.

## CAN THEY AFFORD IT?

It is an undisputed fact that nine of the ten democratic candidates for representatives from Silver Bow county received a majority of the votes cast in that county at the last election.

It is an undisputed fact that the district court decided that the refusal of the canvassers to count any part of such votes was unlawful.

It is an undisputed fact that by mandate of the court all of such votes were counted, and certificates of election duly issued to the nine representatives as elected.

Admitting, as they do, these facts, how do the twenty-five representatives-elect who have refused to comply with the governor's proclamation justify their action in forming a bolting organization and recognizing as members of their body five men whom the court has decided, and the returns show, were not elected?

Do these republican members-elect intend to say to the people, "We will not obey or abide by the decision of the court?" If they do, then of what use are the courts? Do they excuse themselves by saying, "Oh, that was the decision of a democratic judge?" If they do, then there can be no law. If a republican is not bound by the decision of a judge, who happens to hold another political faith than his own, then no democrat in Montana will be under obligations to respect the decisions of our supreme court for the next five years, in any election contest, because all the judges are republicans.

Do our republican friends want to establish such a precedent? Can they afford to do it?

SPYIES have their uses, but it is an unpleasant sight when they are led up to the public crib to get their pay and placed elbow to elbow with reputable people. Such a spectacle is presented in the appointment of Dr. Shidy, of Milwaukee, to a position in the census bureau, upon recommendation of Civil Service Commissioner Roosevelt. Shidy was a trusted clerk in the Milwaukee postoffice under George H. Paul, whose confidence he betrayed to put in Roosevelt's possession ammunition for his most scathing arraignment of Paul's administration. It isn't necessary to defend Paul to condemn the spy's treachery.

THERE are three things that no newspaper apologist for the state stealers can explain:

Where did Auditor Kenney get his authority to designate the meeting place of the house of representatives?

Why did Secretary Walker write to a county clerk that it was the duty of that official to issue certificates to members of the legislature and then proceed to issue them himself?

How does it happen that the only members-elect to whom Gov. White "forgot" to issue state returning board certificates were the democrats from Silver Bow?

THE mineral land convention starts off well. Men of all shades of politics, and men of no politics, are taking part in its deliberations, and the sentiments of our people will be fully presented at Washington. The danger has been that designing men, as some newspapers have done, might make this question a political foot-ball, and we are glad to see the convention free from such influences. The political arena is no place for such a question.

## A Firm Governor.

New York Times: It is fortunate for the people of the new state of Montana that they elected Mr. Toole for governor, as he has the conscience and the courage to save it from the taint of fraud in the treatment of election returns which republican politicians have been trying to put upon it. While they were trying to tinker out a republican majority in the legislature by "monkeying" with the returns, he secured the court house at Helena for the meeting of that body, and issued a proclamation declaring that those were entitled to membership for all purposes of organization who had received certificates from the county clerks as provided by law.

It is one of the evidences of degeneration in the republican party that it is not only willing to carry elections by false pretense and corruption, but that it is not willing to accept a fair defeat if there is any chance of securing offices or legislative majorities by manipulating returns.

## Gresham on the Montana Seal.

St. Paul Globe: Judge Gresham seems to be one of those plain-spoken men who value truth above party advantage; and yet, because he was honest enough to publicly express the opinion that the democrats had carried Montana, and ought to be permitted to enjoy the fruits of their victory, the administration organs are accusing him of being a turncoat, and allege that he has gone over to the democratic party. It is flattery to the democracy to have it confessed by the opposition that partiality for truthfulness is the evidence of being a democrat, yet it does not necessarily follow that because Judge Gresham has spoken the truth in this instance he has severed his party relations. There are a great many republicans who think as

Judge Gresham thinks about the Montana matter, although some of them are not so outspoken. A goodly number of republicans wanted to make Judge Gresham their candidate for president last year, because they knew him to be a fearless man, who would not be dominated by the political tricksters who have the cinch on the Harrison administration. If Judge Gresham had been nominated and elected the republican party would have been saved from the disgraceful attitude it now occupies in relation to the Montana business. The ballot thieves would have been afraid of him. They would not have been countenanced and encouraged, as they now are, in their rascality, by the national administration. It may be true that Judge Gresham is a thorn in the side of the Harrison administration, and the folks who run things down at Washington would like to get rid of him. But if the republicans are wise they will try to keep Judge Gresham in the party instead of driving him out. They want more men of the Gresham stamp in their leadership, for it may happen to them in the future, as it once happened to the wicked city of the plains, the small margin of righteous men will be the party's only hope of salvation.

## The Northern Pacific Grant.

To the Editor of THE INDEPENDENT:—That mineral lands, excepting only in certain cases, coal and iron, do not pass under railroad land grants, and that such grants are always to be construed strictly against the grantees, are principles of interpretation that were supposed, until very recently, to be in the nature of res judicata. The uniform decisions of the United States supreme court, with which the rulings of the general land office have heretofore been in perfect harmony, were supposed to have fixed those fundamental principles beyond question. If, however, a decision recently rendered by the present assistant commissioner of the general land office, then the acting chief of that office, is to be a controlling precedent, mineral claimants can find no defense against the greed of the railroads in those propositions. In 1882 the Fortuna Hope lode was located in Deer Lodge county. In 1887, after having spent more than \$500 in developing the mineral resources of said claim and having thereby demonstrated, presumptive at least, that said land was not agricultural, and hence not subject to the claim of the Northern Pacific Railroad company under its grant, application for patent was made at the Helena Land office, and all the requirements of the law having been complied with by the claimants, entry of said land was allowed and final certificate issued thereon.

Two years thereafter, to-wit, in August last, said entry was taken up for examination in the General Land office at Washington, where, it appearing that in 1886 and in spite of the conspicuously mineral character of said land as evidenced by the developments on the Fortuna Hope lode, the Northern Pacific Railroad Co. has selected said tract as agricultural land in an odd number section within the primary limits of its grant, the claimants for said lode were advised that their entry was held for annulment, because the selection of the land upon which they had made such a large investment (presumably relying upon the principle that the grant to the Northern Pacific railroad "must always be construed strictly against the grantee") was the first valid appropriation of said land. The burden of proof as to the character of said land is shifted from the shoulders of the railroad corporation, where the United States supreme court has heretofore laid it, and placed upon those who have proven the character by the best possible evidence, namely, the investment of time and money in extracting mineral therefrom. There would seem to be a special fitness in the name of this claim, the Fortuna Hope, if the rights of mineral claimants in this state, as adversely affected by the claims of the Northern Pacific railroad company, are to be adjudicated under a decision which virtually holds that at least this land grant is to be construed strictly in favor of the grantee.

A. H. NELSON.

## JOTTINGS ABOUT TOWN.

The hotels and restaurants reminded their guests of Thanksgiving on Thursday by placing elaborate dinners before them.

The Ladies Aid society of the First Presbyterian church will hold a parlor sale December 10. Gifts suitable for the holidays will be presented for sale at reasonable prices.

Information is wanted of Elizabeth Angenstein. Her father died recently in Newark, N. J., and the person mentioned has fallen heir to a fortune. Ed. Zimmerman, of the Cosmopolitan, has a letter for her.

## Real Estate Transfers.

The following real estate transfers were filed for record with County Clerk and Recorder Tooker yesterday:

Gilman Riggs to Barney McGillie, lot 12, block 27, East Helena townsite, \$150  
 Benjamin C. Brooke and wife to Barney McGillie, lots 5 and 6, block 300, Brooke addition, 350  
 E. D. Edgerton to Charles Kreindel, lot 16, block 33, Flower Garden addition, 375  
 Patrick D. Donohue and wife to Annie Braden, Trinity lode quartz claim, 100  
 Jennison L. Perkins and wife to Johanne Burck, lots 9 and 10, block 1, Valley View addition, 500  
 George Voss, trustee, and wife to John Ahnes, lots 9 and 10, block 1, Valley View addition, 1  
 Moses Morris and wife to Harriet C. Bolles, lot 21, block 3, Helena townsite, 1,000  
 J. Holsberg and wife to Julius Reehmetz, lots 1, 2, 3, 4, 5, 6, 7 and 8, block 66, Helena townsite, lots 1, 2, 3, 4, 5 and 6, block 48, townsite, lots 1, 2, 3, 4, 5 and 6, block 26, townsite, 1,500  
 J. R. Holsberg and wife to Julius Reehmetz, lots 1, 2, 3, 4, 5 and 6, block 26, townsite, 700

All warrants of the city of Helena registered prior to April 1, 1889, will be paid on Monday, December 2, 1889, and interest thereon will cease on that date.

S. R. DOUGLAS, City Treasurer.

Helena, November 26, 1889.

## Try It.

Try our best patent floor, the best in the market, and Whittaker Star Lams, at Jons T. Murphy & Co.'s.

## Rooms.

Members of the legislature and their friends, who are seeking a location for the winter, can find bright, cheerful rooms at the Harvey block, Grand street. Central location and first-class accommodations.

Fine club skates for gentlemen and ladies at Bryan's Gun Store, 103 Broadway.

Great preparations are being made at Hotel Broadwater to serve the finest Thanksgiving dinner ever served in Montana.

## Portland.

Just received carload Portland & Swell cutters, finest in the land.

A. J. DAVIDSON &amp; Co.

## Ming's Opera House.

JOHN MAGUIRE, MANAGER.

## THE EVENT OF THE SEASON

FOUR NIGHTS, COMMENCING WEDNESDAY, DECEMBER 4.

Matinee Saturday.

Engagement of

JOSEPH GRISMER,

PHEBE DAVIES.

REPERTOIRE:

Wednesday Night, THE TIGRESS

Thursday Night, THE BUTFLAR

Friday Night, (Comedy night) FAIRFAX

Saturday Night, THE WORLD AGAINST HER

SPECIAL SCENERY, NOVEL EFFECTS!

Regular Prices—Evening, \$1 and 50 cents.

Matinee, 25c, 50c, and 75c.

Reserved Seats on sale at Pope &amp; O'Connor's new drug store, Bailey Block.

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Last Night of the Famous

Hyers Sisters,

The Only and Original Colored Nightingales, in their Comedy.

OUT OF BONDAGE.

(Written by a Boston Clergyman, 1888)

An entire change of Songs will be introduced.

NEW AND NOVEL FEATURES.

Reserved seats on sale at Pardon's drug store. Prices as usual.

Come and see the Great Cake Walk Scene.

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Of all Economical Buyers of Dry

Goods is that the Double Width

Tricot-Cloth Suits that

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25 CENTS PER YARD

Is one of the most sensible bargains

and the best value for the money of any

thing in the Dress Goods line that was

ever offered in Helena. We have only a

limited quantity of these goods and

would advise an early inspection before

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NEW RIBBONS.

For fancy work. It is a well known

fact that our Ribbon Department has

always been the most complete in Helena.

In fact we have too many, and in

order to reduce our stock have marked

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25 PER CENT.

Including all the latest novelty shades

and high art tints for fancy work, in

Plain Satin and Gros Grain, Moria with

crown edge, all silk Faille with satin

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Jersey Suits with Trousers for little

boys from 4 to 8 years. We have a nice

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Waists, made of a heavy Jersey Cloth,

especially for cold weather, for Misses

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regular made and wash nicely without

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bargains in every department of our estab-

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ine our goods, compare prices and find

out from actual experience that the

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There are no more accurate abstracts in the

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Purchasers of real estate in Missoula county, look

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Should your title fail, you will wish, when too

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fore you purchased

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\$5000 Buys 12-Room House

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VERY CHEAP!

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The Most Desirable Property

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Offered to those Desiring Quick

Returns on Money Invested.

Lots can now be purchased

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Real Estate &amp; Mining Brokers,

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SPECIAL BARGAINS IN GREAT FALLS LOTS, BLOCKS OR ACRES!

Lots, blocks and Acres in any Part of Helena or Adjoining the City!

Money in any Amount at 10 Per Cent. No Commission and no Delays.

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